

State of Hawaii  
Department of Education  
Office of Curriculum, Instruction and Student Support  
Special Education Section

**Request for Proposals**

**RFP No. F05-053**  
**Educational Services from**  
**Private Schools**

October 12, 2004

Note: If this RFP was downloaded from the State Procurement Office RFP Website each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, an [RFP Interest form](#) may be downloaded to your computer, completed and e-mailed or mailed to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

October 12, 2004

**REQUEST FOR PROPOSALS  
EDUCATIONAL SERVICES FROM PRIVATE SCHOOLS  
RFP No. F05-053**

The Department of Education (DOE), Office of Curriculum, Instruction and Student Support (OCISS), Special Education Section (SPED), is requesting proposals from qualified Private Schools to provide educational services to students certified as eligible under the Individuals with Disabilities Education Act (IDEA). The contract term will be from July 1, 2005 through June 30, 2006. Multiple contracts will be awarded under this request for proposals.

Copies of this RFP may be obtained at the DOE, Procurement and Contracts Branch, Waipahu Civic Center, 94-275 Mokuola St, Rm 200A, Waipahu, Hawaii 96797 or from the SPO website: <http://www2.hawaii.gov/spoh/rfps.htm>.

OCISS will conduct an orientation meeting on October 27, 2004, from 9:00 a.m. to 11:00 a.m. Hawaii Standard Time (HST), at 641 18th Avenue, Room V201, Honolulu, Hawaii, 96816. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is at 2:00 p.m. H.S.T., November 12, 2004. All written questions will receive a written response from the State on or before December 15, 2004.

Proposals shall be mailed and postmarked by the United State Postal Service on or before January 14, 2005, or hand delivered no later than 2:00 p.m., H.S.T., January 14, 2005, at the drop-off sites designated on the Proposal Mail-in and Delivery Information Sheet of the RFP. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. There are no exceptions to this requirement.

Inquiries regarding this RFP should be directed to the RFP Contact Person, Ms. Karen Sato at 637 18th Avenue, Honolulu, Hawaii 96816, or by phone at (808) 733-4832.

## **PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET**

<b>ONE ORIGINAL AND TWO COPIES OF THE PROPOSAL ARE REQUIRED</b>
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**ALL MAIL-INS MUST BE POSTMARKED BY UNITED STATES POSTAL SERVICE  
(USPS) NO LATER THAN  
January 14, 2005**

**All Mail-ins**

Department of Education  
Procurement and Contracts Branch  
Waipahu Civic Center  
94-275 Mokuola Street, Room 200A  
Waipahu, Hawaii 96797

**DOE RFP COORDINATOR**

Karen Sato  
For further info or inquiries  
Phone: 733-4832

**ALL HAND DELIVERIES WILL BE ACCEPTED AT THE FOLLOWING SITES UNTIL  
2:00 p.m. H.S.T., January 14, 2005.**

**Drop-off Sites**

For applicants located on Oahu:

Department of Education  
Procurement and Contracts Branch  
Waipahu Civic Center  
94-275 Mokuola Street, Room 200A  
Waipahu, Hawaii 96797

**BE ADVISED:**     **All mail-ins postmarked by USPS after January 14, 2005, shall not be accepted for review and shall be returned.**

**Hand deliveries shall NOT be accepted after 2:00 p.m., January 14, 2005.**

**Deliveries by private mail services such as Fedex shall be considered hand deliveries and shall NOT be accepted if received after 2:00 p.m., January 14, 2005.**

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# **Section 1**

## **Administrative Overview**

# Section 1

## Administrative Overview

**Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.**

### I. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

### II. RFP Organization

This RFP is organized into five sections:

***Section 1, Administrative Overview***--Provides applicants with an overview of the procurement process.

***Section 2, Service Specifications***--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

***Section 3, Proposal Application Instructions***--Describes the required format and content for the proposal application.

***Section 4, Proposal Evaluation***--Describes how proposals will be evaluated by the state purchasing agency.

***Section 5, Attachments*** --Provides applicants with information and forms necessary to complete the application.

### III. Contracting Office

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

**State of Hawaii**

Department of:	<b>Education</b>		
Office:	Office of Curriculum, Instruction and Student Support		
Section:	Special Education Section (SPED)		
	637 18 <sup>th</sup> Avenue, Building C, Room 102		
	Honolulu, Hawaii 96816		
Contract Administrator:	Ms. Karen Sato		
Phone (808)	733-4832	Fax: (808)	735-6228

**IV. Procurement Timetable**

**Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.**

Activity	Scheduled Date
Public notice announcing RFP	10/12/2004
Distribution of RFP	10/12/2004
RFP orientation session	10/27/2004
Closing date for submission of written questions for written responses	11/12/2004
State purchasing agency's response to applicants' written questions	12/15/2004
Discussions with applicant prior to proposal submittal deadline (optional)	n/a
Proposal submittal deadline	1/14/2005
Discussions with applicant after proposal submittal deadline (optional)	n/a
Final revised proposals (optional)	n/a
Proposal evaluation period	1/14/2005 – 2/28/2005
Provider selection	3/15/2005
Notice of statement of findings and decision	3/31/2005
Contract start date	7/1/2005

**V. Orientation**

An orientation for applicants in reference to the request for proposals will be held as follows:

**Date:** October 27, 2004 **Time:** 9:00 a.m. – 11:00 a.m.  
**Location:** 641 18th Avenue, Room V201, Honolulu, Hawaii, 96816

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official



responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the next paragraph (VI. Submission of Questions).

## VI. Submission of Questions

Applicants may submit questions to the RFP Contact Person(s) identified in Section 2 of this RFP. All written questions will receive a written response from the state purchasing agency.

Department responses to applicant written questions will be posted as an addendum to this RFP on the SPO website:

<http://www2.hawaii.gov/spoh/rfps.htm>

Deadline for submission of written questions:

**Date:** November 12, 2004 **Time:** 2:00 p.m. HST

State agency responses to applicant written questions will be provided by:

**Date:** December 15, 2004

## VII. Submission of Proposals

A. **Forms/Formats** - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: [www.spo.hawaii.gov](http://www.spo.hawaii.gov), click *Procurement of Health and Human Services* and *For Private Providers*. Refer to the Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPO-H-200)** - Provides identification of the proposal.
2. **Proposal Application Checklist** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
3. **Table of Contents** - A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
4. **Proposal Application (Form SPO-H-200A)** - Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a

cost proposal/budget if required. (Refer to Section 3 of this RFP.)

5. **Registration Form (SPO-H-100A)** – If applicant is not registered with the State Procurement Office (business status), this form must be submitted with the application. If applicant is unsure as to their registration status, they may check the State Procurement Office website at: <http://www.spo.hawaii.gov>, click *Procurement of Health and Human Services*, and *For Private Providers and Provider Lists...The List of Registered Private Providers for Use with the Competitive Method of Procurement* or call the State Procurement Office at (808) 587-4706.
6. **Tax Clearance** – A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required either at the time of proposal submittal or upon notice of award at the discretion of the purchasing agency.

Refer to Section 4, item III.A.1, Administrative Requirements, and the Proposal Application Checklist to see if the tax clearance is required at time of proposal submittal. The tax clearance application may be obtained from the Department of Taxation website at [www.hawaii.gov/tax/tax.html](http://www.hawaii.gov/tax/tax.html).

- B. **Program Specific Requirements** - Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Application Instructions, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist.
- C. **Multiple or Alternate Proposals** - Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. **Proposal Submittal** - Proposals must be postmarked by USPS or hand delivered by the date and time designated on the Proposal Mail-In and Delivery Information Sheet attached to this RFP. Any proposal postmarked or received after the designated date and time shall be rejected. Note that postmarks must be by United States Postal Service or they will be considered hand-delivered and shall be rejected if late. The

number of copies required is located on the Proposal Mail-In and Delivery Information Sheet.

- E. Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55, HRS may be obtained from the Hawaii State Legislature website at <http://www.capitol.hawaii.gov/>. Or go directly to: [http://www.capitol.hawaii.gov/hrscurrent/Vol02\\_Ch0046-0115/HRS0103/HRS\\_0103-0055.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103/HRS_0103-0055.htm)

*Certification will be required at time of contract award.*

- F. Confidential Information** – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

**Note that price is not considered confidential and will not be withheld.**

## **VIII. Discussions with Applicants**

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. After Proposal Submittal Deadline** - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

## **IX. Opening of Proposals**

Upon receipt of proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

## **X. Additional Materials and Documentation**

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

## **XI. RFP Amendments**

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

## **XII. Final Revised Proposals**

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the date and time specified by the state purchasing agency. Any final revised proposal post-marked or received after the designated date and time shall be rejected. If a final revised proposal is not submitted, the previous submittal shall be construed as their best and final offer/proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

## **XIII. Cancellation of Request for Proposal**

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

## **XIV. Costs for Proposal Preparation**

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

## **XV. Provider Participation in Planning**

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

## **XVI. Rejection of Proposals**

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS, are parenthesized)

- (1) Rejection for failure to cooperate or deal in good faith. (Section 3-141-201, HAR)
- (2) Rejection for inadequate accounting system. (Section 3-141-202, HAR)
- (3) Late proposals (Section 3-143-603, HAR)
- (4) Inadequate response to request for proposals (Section 3-143-609, HAR)
- (5) Proposal not responsive (Section 3-143-610 (1), HAR)
- (6) Applicant not responsible (Section 3-143-610 (2), HAR)

## **XVII. Notice of Award**

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

## **XVIII. Protests**

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website (see the Proposal Application Checklist in Section 5 of this RFP. Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be mailed by USPS or hand delivered to the DOE Procurement and Contracts Branch and the procurement officer who is conducting the protested procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

<b>Head of State Purchasing Agency</b>		<b>Procurement Officer</b>	
Name:	Patricia Hamamoto	Name:	Debra Farmer
Title:	Superintendent	Title:	Administrator, Special Education Services
Mailing Address:	P.O. Box 2360 Honolulu, Hawaii 96804	Mailing Address:	637 18 <sup>th</sup> Avenue Honolulu, Hawaii 96816
Business Address:	1390 Miller Street Honolulu, Hawaii 96813	Business Address:	637 18 <sup>th</sup> Avenue Honolulu, Hawaii 96816

<b>DOE Procurement and Contracts Branch</b>	
Mailing Address:	94-275 Mokuola Street Waipahu, HI 96797
Business Address:	94-275 Mokuola Street Waipahu, HI 96797

## **XIX. Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, HRS, and subject to the availability of State and/or Federal funds.

## **XX. Monitoring and Evaluation**

The criteria by which the performance of the contract will be monitored and evaluated are:

- (1) Performance/Outcome Measures

- (2) Output Measures
- (3) Quality of Care/Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

## **XXI. General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website. (See Section 5, Proposal Application Checklist for the address). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

## **XXII. Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website (see section 5, the Proposal Application Checklist). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

# **Section 2**

## **Service Specifications**



## Section 2

### Service Specifications

#### I. Introduction

##### A. Overview, purpose or need

The Hawai'i Department of Education (DOE) administers the statewide system of public schools. The scope of educational programs and services of the public schools encompasses grades kindergarten through twelve, and such pre-school programs and community/adult education curricula as may be authorized. In addition to regular programs of instruction and support services, the DOE offers special programs and services for students with a disability.

Federal and state laws and regulations govern the provision of a free appropriate public education (FAPE) to students with a disability. (20 U.S.C. Section 1400 et seq; 34 C.F.R. Part 300; 29 U.S.C. Sections 706(8), 794, 794a, 794b; 34 C.F.R. Part 104; 42 U.S.C. Sections 12101 et seq.; 28 C.F.R. Part 35; Hawai'i Revised Statutes Chapter 302A and Hawai'i Administrative Rules Chapters 53 and 56.) The DOE must ensure that each student with a disability who resides in the State and is enrolled in Hawaii public schools is provided a FAPE in accordance with these federal and state laws and regulations.

The DOE must have a continuum of alternative placements available to meet the needs of students with a disability. (34 C.F.R. Section 300.551) If the DOE is unable to provide FAPE to a student with a disability at a placement available in the Hawai'i public schools, the DOE may place a student with a disability in a private school or facility in order to ensure the student receives a FAPE.

The DOE anticipates the need to develop contracts with Nonpublic Agencies, hereinafter referred to as Agency or Agencies, to augment the continuum of alternative placements available to meet the needs of students with a disability.

The purpose of this Request For Proposal (RFP), is to solicit Agencies interested in providing special education and related services to students with a disability:

- In conformance with an Individualized Education Program (IEP);
- At no cost to the parents; and
- That meet the standards of the applicable federal and state laws and regulations, including the Individuals with Disabilities Education Act, Part B (IDEA: 20 U.S.C. Section 1400 et seq; 34 C.F.R. Part 300) and Hawai'i Revised Statutes (HRS) Chapter 302A and Hawai'i Administrative Rules (HAR) Chapters 53 and 56.

##### B. Description of the goals of the service

The goal of this RFP is to ensure the availability of alternative private educational placements for students with a disability for whom the DOE is unable to provide FAPE in the Hawai'i public schools. The IDEA and HAR, Chapter 56 require a student with a disability's placement to be determined at least annually, be based on the student's IEP and be as close as possible to the student's home. (34 C.F.R. Section 300.552; HAR Section 8-56-45) Placement in a private agency may include a short-term placement of less than a school year

**C. Description of the target population to be served**

Students eligible for the services described in this RFP must meet all of the following criteria:

1. The student must have one of the following disabilities: autism, deaf-blindness, deafness, developmental delay (for students three through eight), emotional disturbance, hearing impairment, mental retardation, multiple disability, orthopedic impairment, other health impairment, specific learning disability, speech-language impairment, traumatic brain injury, visual impairment, including blindness;
2. The student must need special education and related services because of the identified disability; and
3. The student must reside in the State and be at least three years of age and under twenty on the first instructional day of the school year set by the DOE. (HAR, Chapter 56, Sections 8-56-15 to 8-56-29).
4. DOE has determined that a FAPE cannot be provided in a public school.

The student will already have been determined eligible for special education and related services by the DOE prior to the placement in an Agency.

**D. Geographic coverage of service**

DOE is seeking statewide contracts to serve the seven (7) school districts, hereinafter "District": Honolulu, Central, Leeward, Windward, Hawai'i, Maui, and Kauai.

**E. Probable funding amounts, source, and period of availability**

It is expected that state and federal funds will be used to support these services. Amounts will be determined by the established rate set by the Agency and the number of students/positions. It is expected that funding would be allocated for this contract period.

**II. General Requirements****A. Specific qualifications or requirements, including but not limited to licensure or accreditation**

1. A student with a disability placed in an Agency pursuant to this RFP remains the responsibility of the DOE and retains all of the rights under HAR, Chapter 56 and the IDEA. Therefore, the fundamental mandatory qualifications for the award of contracts pursuant to this RFP are:
  - The demonstrated ability and assurance of the Agency to implement the IEP of each student with a disability placed in the Agency in the manner described in such IEP, including the provision of services in the least restrictive environment and during the period of ESY determined by the student's IEP team; and
  - The demonstrated ability and assurance of the Agency to comply with the IDEA, Part B, (20 U.S.C. Section 1400 et seq.; 34 C.F.R. Part 300) and HRS, Chapter 302A and HAR, Chapters 53 and 56 and all other applicable federal and state laws and regulations, policies and

procedures, respecting any action or inaction that directly or indirectly affects or could affect the student placed at the Agency or his/her parent(s), or their property.

2. For all students with a disability placed at the Agency, the Agency must facilitate the student's participation, as determined by the student's IEP Team, in the Statewide or Alternate Assessments in all participating grade levels.
3. The Agency must follow federal and state requirements for the discipline of a student with a disability placed in the Agency pursuant to this RFP, including HAR, Chapters 56 and 19.
4. The Agency must comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/1//98), which can be found on the SPO website (See Section 5, POS Proposal Checklist, for the website address).

**B. Secondary purchaser participation**

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

Planned secondary purchases

The secondary purchaser will execute a separate contract.

**C. Multiple or alternate proposals**

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

The applicant Agency can submit a proposal to provide special education and related services in the following manner:

Statewide - in which the Agency can provide services in all Districts

OR

By individual Districts - in which the Agency can provide services in a specific geographic area. (Students may be placed in a contracted Agency outside the geographic area of the home school.)

**D. Single or multiple contracts to be awarded**

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Criteria for multiple awards:

Proposals with a score of 75 points or more will be awarded a contract, and entered into a pool of Providers.

The Contractors will be placed on the DOE's Agency provider list, and ranked by the total Proposal evaluation score from highest to lowest. Student placement will be made to the highest ranking provider who is able to provide the services identified in the Student's IEP. If the first Provider is unable to accommodate the student, DOE will place the student at the school with the next highest ranking until the student is accepted.

DOE reserves the right to place a student with any accepted provider if there are compelling programmatic needs for such a placement.

**E. Single or multi-term contracts to be awarded**

(Refer to §3-149-302, HAR)

☐ Single term ( $\leq 2$  yrs)      ☒ Multi-term ( $> 2$  yrs.)

**Contract terms:**

Initial Term of Contract	One (1) year
Length of each extension	One (1) year
Number of possible extensions	One (1) extension
Maximum length of contract	Two (2) years
Initial period	Shall commence on the contract start date
Conditions for extension	Extension must be in writing, and is contingent upon potential changes to DOE's approach to service delivery, availability of funding beyond first year, and upon mutual agreement

**F. RFP contact person**

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider or providers. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section I, Item IV (Procurement Timetable) of this RFP.

Ms. Karen Sato, Educational Specialist II  
 Department of Education, State of Hawai'i  
 Special Education Section  
 637 18th Avenue, Building C, Room 102  
 Honolulu, Hawaii 96816  
 Phone: (808) 733-4832 Fax: (808) 735-6228

**III. Scope of Work**

The scope of work encompasses the following tasks and responsibilities:

**A. Service Activities**

(Minimum and/or mandatory tasks and responsibilities)

**Program**

The Agency must implement all components of the IEP for a student with a disability placed at the Agency, unless the individual contract with the District for a student placed at the Agency specifies otherwise. The Agency must provide the length of school day and year required by the IEP for a student with a disability placed at the Agency, including the provision of an extended school year.

The Agency must provide:

- A program, curriculum design, and appropriate resources for each student to meet IEP goals;
- All special education and related services and supplementary aides and services required to be provided to the student, or on behalf of the student, and program modifications or supports for school personnel that will be provided for the student, unless the individual Agency contract indicates otherwise.
- A program with direct correlation to the general education standards-based curriculum.
- Strategies and/or accommodations which are efficient and effective for the student in relation to the general education standards-based curriculum;
- A program conducted in the student's chosen communication mode and linguistic system in accordance with the student's IEP and in consideration of his/her cultural background and community.
- A program that includes materials and approaches appropriate to the student's chronological and developmental age, physical and sensory abilities and cognitive status.
- Personnel who meet all appropriate state regulations and/or licensure requirements to deliver special education and/or related services to students.
- The Agency must incorporate "best practice" into any service. Best practice is defined as a body of research based findings that produce the most efficacious outcomes for students with a disability, has research based literature to support the practice, and has a system for implementing and maintaining program integrity.

The Agency must maintain necessary computer equipment, assessment tools, therapy materials or supplies, and or adaptive equipment provided by the DOE.

**Rules of Student Conduct**

Prior to the placement of a student with a disability at the Agency, the Agency must provide the student, and if appropriate, parents of the student and the District with the rules and standards of student conduct, including the methods of discipline and consequences for violation of the rules of student conduct.

**IEP Documentation and Reports**

The Agency must:

- employ specific measurement criteria and procedures consistent with the IEP, and, at the direction of the District, to evaluate learning activities, including assessment of progress. At the direction of the District, the Agency must use specific forms to record student performance data.
- maintain, at a minimum, quarterly reports of student progress toward IEP goals.
- maintain program education records for each student, as directed by the District.
- complete and furnish all written reports within timelines set by the District.

- respond to reasonable requests by the District for any documentation relevant to the implementation of the IEP for a student with a disability placed at the Agency.

### **Reevaluation and Review of the IEP**

Throughout the contract period and without delay, the Agency must notify the District of any need for reevaluation of students and/or those IEPs that need to be reviewed.

The Agency must attend or otherwise participate in the IEP meeting initiated and conducted by the DOE for a student who is being considered for placement in the Agency.

The Agency must attend or otherwise participate in the review of an IEP for a student placed in the Agency in the manner specified by the District. The Agency must draft recommendations for an IEP to be reviewed at a scheduled IEP meeting and deliver them to the District 10 school days prior to the IEP meeting, or on a different schedule if agreed to by both the District and the Agency.

The District is responsible for conducting all IEP meetings to review, and if appropriate, revise the IEP for a student with a disability placed at an Agency. The Agency must attend or otherwise participate in the IEP meeting conducted by the District to review and/or revise the IEP for a student who is placed in the Agency.

### **Meetings**

The Agency must have knowledgeable Agency staff available to attend, or otherwise participate, in any educational team meeting as requested by DOE personnel. The following is a description of the types of meetings that Agencies may be asked to attend: Eligibility Conferences, IEP meetings, placement meetings or any other team meetings as appropriate taking into consideration the relevance of the Agency's input. At the discretion of the DOE, the Agency may participate in these meetings in an alternative manner.

The Agency must participate in District staff meetings and DOE training as required by the District. The Agency must assign staff to attend provider meetings as scheduled by the State of Hawai'i.

### **Compliance and Monitoring**

The Agency must cooperate with the DOE/District in the monitoring of compliance with all substantive and procedural requirements and limitations otherwise imposed upon public school districts by any state or federal constitutional, statutory, or administrative code provisions, including facilitating on-site visits at the request of the DOE/District.

The Agency must notify in writing, the District Education Specialist (DES) of any oral or written complaints from parents, or written complaints from others regarding violations of IDEA (34 C.F.R. §300.660-662) and Chapter 56 (H.A.R. Title 8 §856-95-98) for students with a disability placed at the Agency pursuant to this RFP within 1 working day of receipt of the complaint.

Whenever requested by the DOE/District, the Agency must submit a copy of the Agency's operating policies and procedures, including all revisions and updates, at the Agency's expense.

The Agency must cooperate with the DOE/District in the monitoring of compliance with the administrative and fiscal aspects of the contract, including the scope of services. All documentation and student records related to any contract awarded

pursuant to this RFP must be made available to the DOE/ District upon request by the deadline specified by the requestor.

### **Other Projects**

The Agency must cooperate with the DOE in approved research, training, and service projects provided that such projects do not substantially interfere with the Agency's service requirements as outlined in this RFP.

### **Confidentiality**

The Agency must maintain the confidentiality of student records for students with a disability placed at the Agency at collection, storage, and disclosure as mandated under all applicable laws and regulations.

The Agency must designate one official at the Agency to ensure the confidentiality of personally identifiable information.

The Agency must ensure all persons collecting or using personally identifiable information receive training or instruction regarding DOE's confidentiality requirements and the IDEA.

The student records for students with a disability placed at the Agency by the DOE are the educational records and property of the DOE. Upon completion of the school year, a copy of the Agency's records maintained for the student must be submitted to the District in the manner and by the deadline specified by the District.

## **B. Management Requirements (Minimum and/or mandatory requirements)**

### **1. Personnel**

In accordance with the IDEA and HAR, Chapter 56, the Agency must have qualified personnel providing service in the area of certification and as appropriate, licensed to practice in the State of Hawai'i. Personnel must also have suitability clearance (criminal history check).

The Agency must provide the necessary supervision and support to ensure a student with a disability placed in the Agency receives a FAPE in accordance with all applicable federal and state laws and regulations.

The Agency must identify all certification and licensure for personnel who may provide special education and related services to a student with a disability placed at the Agency. If the Agency will utilize subcontracts for related service personnel, they must be identified as such. The Agency must address supervision and monitoring of the quality of services of all employees and contracted personnel.

Prior to contracting with the DOE to provide special education and related services to a student with a disability, the Agency must:

- Provide a current copy of the license and/or certificate for all service providers.
- *Criminal History Record Checks:*
  - a. *At this time, the Department is actively seeking legislation that will amend current law to allow the DOE to perform local and national fingerprinting checks of all of its employees, subcontracted providers, and volunteers who work in close proximity to children. It is anticipated that legislation will be enacted and rules implemented by July 2005. Applicants awarded contracts under this RFP will be*

*subject to any statutory or regulatory requirements promulgated for this purpose.*

- b. *Applicants should be prepared to conduct the following record checks:* The applicant shall require criminal history checks on all employees, subcontracted providers, and volunteers as provided under Section 302A-601.5, HRS and HAR 8-7. The DOE shall perform fingerprint and criminal history checks and charge the applicant a reasonable fee for all costs associated for conducting and processing criminal history checks of all applicant's employees, subcontracted providers, and volunteers, including, but not limited to administrative and program staff members who work in close proximity to children as a result of being awarded a contract under this RFP. Applicants shall require all employees, subcontracted providers, and volunteers to complete a copy of DOE Form 90. Fingerprinting checks required under this Section shall be completed before any employee, subcontracted provider, and volunteer of the applicant is assigned to any work site.
- c. The applicant shall maintain a record of the mandatory criminal history records check performed on each of its employees, subcontracted providers, and volunteers in compliance with the above. A local criminal records check is required every three years.
- d. Additionally, the applicant shall maintain and update a list of all new employees, subcontracted providers, and volunteers that document the status and completion dates of the mandatory background checks.
- e. DOE reserves the right to monitor the applicant's compliance with this stipulation on an annual basis, at a minimum, through either an on-site evaluation or a documentation review.
- The Agency must provide the DOE with documentation of tuberculosis clearance on all employees and/or subcontracted providers who work at the Agency.
- During the contract period, the Agency must provide the DOE information within 30 days for officers and service personnel if there is any change in certification, licensure, tuberculosis clearance or criminal status.

## **2. Administrative**

The Agency must have in place an administrative structure capable of supporting the activities required by the RFP. Specifically, there must be financial, accounting and management information systems, and an organizational structure to support the activities of the applicant.

The Agency must maintain personnel files of training, supervision, appropriate credentialing and re-credentialing, and ongoing monitoring of all Agency personnel, which are subject to inspection by DOE.

The Agency must have a clear definition of lines of authority and organization functions within the Agency.

## **3. Quality assurance and evaluation specifications**

The Agency must comply with the quality assurance plan submitted through the RFP. The plan must consist of the following components:

- The mission of the organization;
- What services will be provided;



- The standards used to assess or evaluate the quality and timely delivery of services as well as continuous improvement; and
- Corrective actions to be taken if any deficiencies are noted.

**4. Output and performance/outcome measurements**

See “Documentation and Reports” in Section III for other required reports and documentation.

**5. Experience**

Preference will be given to Agencies responding to this RFP with a demonstrated ability to provide an array of specially designed instruction and related services and to provide an extended school year (ESY) program, when required.

**6. Coordination of services**

The Agency must be able to coordinate services with DOE and/or other service providers as specified in Section IIIA “Service Activities”, to implement all components of the IEP for a student placed at the Agency, unless the individual Agency contract indicates otherwise.

**7. Reporting requirements for program and fiscal data**

**Tax clearance**

The provider must submit the original tax clearance certificate upon the execution of a contract, and with the final invoice.

**Invoices**

Original invoices plus two copies must be submitted within 14 calendar days after the last day of each school quarter to the District address to be specified. All appeals and corrections for reporting/invoice rejections must be resolved within the next 60 calendar days and late claims will not be accepted. Any appeals and corrections for reporting/invoice rejections shall constitute the end of DOE’s requirement to pay within 30 days upon receipt of the original invoice. DOE’s requirement to pay within 30 days starts on the day the corrected invoice is re-submitted and accepted by DOE.

**Absences**

The Agency must follow state guidelines regarding absences.

The Agency must keep attendance logs as required by the DOE and District.

The Agency must notify the DES and offer a plan for improved attendance for any student who attends ten (10) school days or less per month as soon as possible, but not later than the quarter following the month(s) the attendance of 10 days or less are recorded.

Students engaged in Work Study or Community Services programs, which are supervised by the Agency, must meet the criteria established by District in order to receive school credit.

**Final Report**

At the completion of the contract period, the Agency must submit a final written report summarizing contract performance to the DOE in a format to be prescribed by DOE.

**8. Pricing structure or pricing methodology to be used**

The Provider will be paid on a quarterly basis for the provision of special education and related services for each full quarter that a student with a disability enrolled by the DOE in the Agency, at the quarterly per student tuition rate specified in the Agency's proposal.

If a student is not enrolled for the full quarter, the quarterly tuition rate for said student shall be pro-rated in accordance with the following formula:

$$\text{Payment amount for student enrolled partial quarter} = \text{Quarterly Tuition rate per student} \times \frac{\text{Total number of days student is enrolled in the quarter}}{\text{Total number of days in the quarter}}$$

**9. Units of service and unit rate**

Applicants shall submit a unit rate for the services covered by this RFP. The standard unit of service as established under this RFP is one quarter of the school year.

**IV. Facilities**

The Agency must provide and operate a program in a facility that meets the minimum state and local requirements for health and fire safety and accessibility. Fire and life safety and health/safety inspections must be current with all noted findings corrected.

## **Section 3**

# **Proposal Application Instructions**

## Section 3

# Proposal Application Instructions

### General instructions for completing applications:

*Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*

*The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained.*

*The instructions for each section however may be omitted.*

*Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. **See sample table of Contents***

*Proposals may be submitted in a three ring binder (Optional).*

*Tabbing of sections (Recommended).*

*Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*

*A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*

*Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*

*This form (SPO-H-200A) is available on the SPO website (for the website address see the Proposal Application Checklist in Section 5, Attachments). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

### The Proposal Application comprises the following sections:

- ✓ *Proposal Application Identification Form*
- ✓ *Table of Contents*
- ✓ *Program Overview*
- ✓ *Experience and Capability*
- ✓ *Project Organization and Staffing*
- ✓ *Service Delivery*
- ✓ *Financial*
- ✓ *Other*

## I. Program Overview

Applicant shall give a brief overview to orient evaluators as to the program/services being offered.

This section shall clearly and concisely summarize and highlight the contents of the proposal in such a way as to provide the State with a broad understanding of the entire proposal. Include a brief description of the applicants' organization, the goals and objectives related to the service activity, and how the proposed service is designed to meet the problem/need identified in the service specifications.

This section should also reflect how the response would integrate provision of these services through an educationally based approach as opposed to a clinical model. In addressing a

response to this section, the applicant should express how the delivery of these services will be in concert with the goals and philosophical approach of the Department of Education, and will incorporate its efforts under IDEA, Part B, HRS Chapter 302A, HAR Chapters 53 and 56, and all other applicable federal and state laws and regulations, policies and procedures.

## **II. Experience and Capability**

### **A. Necessary Skills**

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge relating to the delivery of the proposed services.

### **B. Experience**

The applicant shall provide a description of projects/contracts pertinent to the proposed services.

The applicant shall also provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services.

Applicant shall include points of contact, addresses, e-mail/phone numbers. The State reserves the right to contact references to verify experience.

### **C. Quality Assurance and Evaluation**

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology.

Contractors must create and maintain an internal quality assurance and improvement plan (QAIP) to assure the delivery of quality educational services and a plan for program assessment and continuous improvement. This plan should explain how the agency would ensure outcomes from the services provided. As this is an educationally related service, the primary outcome measure the DOE is accustomed to is an improvement in grades, behaviors, or scholastic criteria as set forth in the student's IEP. Applicant responses should seek to detail how work is evaluated and reviewed by supervisors and to what degree providers are accountable for providing sound interventions in accordance with the requirements set forth in this RFP. Any plan should address how it will integrate with any QAIP in effect with each school district in which the agency proposes to serve. District QAIPs are available at the respective district office for each school district.

### **D. Coordination of Services**

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

The Agency should describe staff, procedures and processes in place to allow the Agency to coordinate services with DOE and/or other service providers as specified in Section 3 (III), (A) "Service Activities", to implement all components of the IEP for a student placed at the Agency.

**E. Facilities**

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

Applicants should be clear where the services are to be provided, and if they will be delivered at a specific site.

**III. Project Organization and Staffing****A. Staffing****1. Proposed Staffing**

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

This should be reflected in the supporting resumes or curriculum vitae attached as part of the applicant's response. For each service type specified in the scope of services, the agency should illustrate what it considers the norm for the qualifications and level of education or experience of its providers.

**2. Staff Qualifications**

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable)

Applicant responses should specifically address the experience and capacity of its supervisors, or those overseeing the delivery of the services, faculty and staff, and their knowledge or expertise in the interventions or in working with this population.

The applicant shall also describe how staffs are evaluated not only for the mandatory background checks, but also for competence and ability to deliver the services in conformity with the applicant's own policies and within the requirements of this RFP.

**B. Project Organization****1. Supervision and Training**

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

## **2. Organization Chart**

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the “Organization-wide” and “Program” organization charts shall be attached to the Proposal Application.

The supervision ratios of supervisors to staff should be identified for each service activity. The applicant's ability to train its personnel should be specifically addressed. A description of the training program, how it will be enforced and implemented, and what it entails should be specifically described.

## **IV. Service Delivery**

Applicant shall include a detailed discussion of the applicant's approach to applicable service activities and management requirements from Section 2, Item III. - Scope of Work, including (if indicated) a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules.

There is some divergence in nature and possible approaches to the services requested in this RFP. Applicants should indicate in the service delivery section how they would approach EACH of the services they are responding to. A generic response to how services will be addressed will not be scored highly. This section should contemplate the methodology, program integration, and allow a reviewer to differentiate one response from another for each service (i.e., a section discussing only assessments, a section discussing only parent therapy/counseling, etc.).

The applicant should describe in detail how the agency would address operational issues relating to the delivery of the services covered in this RFP. Specifically, the agency should provide how it will handle new referrals, its policies and procedures for initiating services, ensuring records and reports are accounted for within timelines, how it monitors and verifies service delivery prior to and after billing claims have been submitted, and will comply with the terms of this RFP or subsequent contract. In addition, the proposal should reflect how the agency addresses concerns about its service providers, and how it resolves questions of provider conduct or performance.

If applicable, the applicant response should detail how the plan reflects past practice, or how it has been modified from the agency's prior method of operation. If the agency has no prior history servicing this population in Hawaii for the Departments of Education or Health, then it should demonstrate how these policies and procedures would be fully adhered to and provide some measure of verification in the proposal that they will be faithfully implemented if a contract is awarded.

## **V. Financial**

### **A. Pricing Structure**

Applicant shall submit a cost proposal utilizing the pricing structure designated by the state purchasing agency. The cost proposal shall be attached to the Proposal Application.

***Applicants shall submit proposals using Attachment D.***

**B. Other Financial Related Materials**

Applicants should submit one copy of the most recent financial audit report (if applicable).

DOE reserves the right to ask for additional information (i.e., information supporting or justifying service delivery, or per student rate) from each applicant. Additional information must be available for review during the proposal evaluation period

**1. Accounting System**

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the Proposal Application (may be attached):

- A description of how applicants accounting system is organized to handle the contract;
- A description of the applicant's billing procedures including, if applicable, the procedures in which subcontractors are paid;
- Name of individual responsible for the accounting/billing system and his/her qualifications and position description;
- Applicant's most recent program annual report (if available);
- Applicant's most recent financial audit (if available);
- Description of the internal control structure used in the accounting system; and
- If accounting work is subcontracted, please describe.
- The applicant shall describe the organization's current type of computer hardware, accounting software, any plans for major changes to comply with Section 2. (Reporting requirements for program and fiscal data, and the capability of your staff to use the system.)

**VI. Other**

**A. Litigation**

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain.



# **Section 4**

## **Proposal Evaluation**

# Section 4

## Proposal Evaluation

### I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

### II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal Application
- Phase 3 - Recommendation for Award

#### Evaluation Categories and Thresholds

<u>Evaluation Categories</u>	<u>Possible Points</u>
<i>Administrative Requirements</i>	
<i>Proposal Application</i>	<b>100 Points</b>
Program Overview	0 points
Experience and Capability	20 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	10 Points
<b>TOTAL POSSIBLE POINTS</b>	<b>100 Points</b>

### III. Evaluation Criteria

#### A. Phase 1 - Evaluation of Proposal Requirements

##### 1. Administrative Requirements

- Application Checklist
- Registration (if not pre-registered with SPO)
- Federal Certifications
- Tuition rate Proposal Form

## 2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

### B. Phase 2 - Evaluation of Proposal Application (100 Points)

**Program Overview:** No points are assigned to Program Overview. The intent is to give the applicant an opportunity orient evaluators as to the service(s) being offered.

#### 1. Experience and Capability (20 Points)

The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

##### A. Necessary Skills

Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services:

- |  |   |
|--|---|
| • 100% of the faculty and related service personnel are certified in the area of service they provide (i.e. special education teacher is certified in special education) | 8 |
| • Supervisor (e.g. principal) has experience in curriculum development and/or special education  | 2 |
| • 90% of the faculty has 3 or more years teaching experience with special populations  | 2 |
| • Licensure by an educational (i.e. Hawaii Association of Independent Schools)   | 2 |

##### B. Experience

Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology. The plan must consist of the following components:

- |  |   |
|--|---|
| • The mission of the organization                | 4 |
| • Experience with services that will be provided | 1 |
|  | 3 |

##### C. Quality Assurance and Evaluation

Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.

- |  |   |
|--|---|
| • The standards used to assess or evaluate the quality and timely delivery of services as well as continuous improvement and | 3 |
| • Corrective actions to be taken if any deficiencies are noted   | 2 |
|  | 1 |

<b>D. Coordination of Services</b>	<u>2</u>
Demonstrated capability to coordinate services with DOE and other agencies and resources in the community	<u>2</u>
<b>E. Facilities</b>	
Adequacy of facilities relative to the proposed services:	<u>3</u>
<ul style="list-style-type: none"> <li>• <i>Facilities meet the minimum state requirements for health and fire safety and accessibility. Fire and health safety inspections must be current with all noted findings corrected.</i></li> </ul>	<u>2</u>
<ul style="list-style-type: none"> <li>• <i>Demonstrated adequate number of staff responsible for cleaning classrooms, bathrooms, etc.</i></li> </ul>	<u>1</u>
<b>2. Project Organization and Staffing (15 Points)</b>	
The State will evaluate the applicant's overall staffing approach to the service that shall include:	
<b>A. Staffing</b>	<u>15</u>
Proposed Staffing: That the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.	<u>1</u>
<ul style="list-style-type: none"> <li>• <u>Staff Qualifications:</u> Minimum qualifications (including experience) for staff assigned to the program. <i>Responses should specifically address the experience and capacity of its faculty/staff and their knowledge or expertise in working with students with disabilities.</i></li> </ul>	<u>6</u>
<ul style="list-style-type: none"> <li>• <i>Proposal includes background review process and how qualifications of providers will be documented</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>Proposal includes a plan to maintain and/or obtain qualified staff and provide for sufficient staffing</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>Proposal reflects teacher to student ratios proportionate to the severity of the disabling condition(s).</i></li> </ul>	<u>1</u>
<b>B. Project Organization</b>	
The Agency must have in place an administrative structure capable of supporting the proposed service activities. The description must include:	<u>5</u>
<ul style="list-style-type: none"> <li>• <i>Plan for supervision including details on monitoring of services, handling of complaints, resolution of complaints, and method of communication with providers and DOE and ease of access to Supervisor</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>Financial, accounting and management information systems, and an organizational structure to support the activities of the applicant.</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>Description of how the Agency maintains personnel files of training, supervision, appropriate credentialing and re-credentialing, and ongoing monitoring of all Agency personnel, which are subject to inspection by DOE.</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>A clear definition of lines of authority and organization functions within the Agency.</i></li> </ul>	<u>1</u>
<ul style="list-style-type: none"> <li>• <i>Organization Chart submitted</i></li> </ul>	<u>1</u>

### 3. ***Service Delivery (55 Points)***

*Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.*

- *The proposal will clearly describe how the organization proposes to implement all components of the IEP, based on best practices, for a student with a disability placed at the Agency including any need to work with the DOE in the provision of related services. (Best practice is defined as a body of research based findings that produce the most efficacious outcomes for students with a disability, has research based literature to support the practice, and has a system for implementing and maintaining program integrity.)* ➤ 23
- *Description of how the program, curriculum design, and resources available to students meet IEP goals and correlate to the general education standards-based curriculum, and description of how services will be provided during Extended School Year (ESY) periods.* 10
- *Description of special education and related services and supplementary aides and services available to the student, including program modifications or supports for school personnel that will be provided for the student* 10
- *Description of strategies and/or accommodations available for the student in relation to the general education standards-based curriculum* 3
- *The proposal includes a description of how student progress will be documented and reported including how the organization will address the following:* ➤ 12
- *Specific measurement criteria and procedures consistent with the IEP and evaluation of learning activities, including assessment of progress.* 2
- *Quarterly reports of student progress toward IEP goals.* 2
- *Maintenance of program education records for each student.* 2
- *Completion and submittal of all written reports within timelines set by the DOE.* 2
- *Response to reasonable requests by the DOE for any documentation relevant to the implementation of the IEP for a student with a disability placed at the Agency.* 2
- *Participation in the Statewide or Alternate Assessments in all participating grade levels.* 2
- *The Agency has a plan to collaborate with the DOE on the provision of FAPE to students. The plan should address the following:* ➤ 5
- *Notification to the District regarding any need for reevaluation of students and/or for IEPs reviews.* 1

• Attendance or other participation in any educational team meeting requested by the DOE for a student who is attending or being considered for placement at the Agency.	<u>2</u>
• Recommendations, student progress and current program and assessment information/data to the DOE 10 school days prior to a team meeting, or as agreed to by both the DOE and the Agency.	<u>2</u>
➤ The Agency assures the HIDOE to cooperate with the monitoring of compliance with all substantive and procedural requirements and limitations otherwise imposed upon public school districts by any state or federal constitutional, statutory, or administrative code provisions, including facilitating on-site visits at the request of the DOE. The following assurances must also be addressed.	➤ <u>4</u>
• Notification of the DOE of any oral or written complaints from parents or written complaints from others regarding violations of IDEA (34 C.F.R. §300.660-662) and Chapter 56 (H.A.R. Title 8 §856-95-98) for students with a disability placed at the Agency pursuant to this RFP.	<u>1</u>
• Documentation and student records will be made available to the DOE upon request	<u>3</u>
➤ The Agency will clearly describe policies and procedures to ensure student confidentiality and will include:	➤ <u>3</u>
• Confidentiality of student records at collection, storage, and disclosure as mandated under all applicable laws and regulations.	<u>1</u>
• A designated Agency official to ensure the confidentiality of personally identifiable information.	<u>1</u>
• An understanding that the student records for students with a disability placed at the Agency by the DOE are the educational records and property of the DOE. Upon completion of the school year, a copy of the Agency's records maintained for the student must be submitted to the DOE in the manner specified by the DOE.	<u>1</u>
➤ Demonstration of the applicant's commitment to placement in the least restrictive environment.	➤ <u>8</u>
• Proposal includes a plan to transition students to public school.	<u>5</u>
• Proposal includes opportunities to participate with non-disabled peers in the general curriculum.	<u>3</u>

5.	<b>Financial (10 Points)</b>	
•	Degree of competitiveness and reasonableness of Service(s) as applicable.	<u>5</u>
➤	Degree to which the cost proposals/budgets demonstrates support of the scope of services and RFP requirements including:	<u>➤ 5</u>
•	<i>Salaries of staff is competitive with market</i>	<u>1</u>
•	<i>Operating costs: salaries of manger and office staff, supplies, travel</i>	<u>1</u>
•	<i>Continuing education/training</i>	<u>1</u>
•	Demonstration of the agency’s financial solvency, submission of financial audit and management letter	<u>2</u>

C. **Phase 3 - Recommendation for Award**

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Proposals with a score of 75 points or more will be awarded a contract, and entered into a pool of Providers.

The Contractors will be placed on the DOE’s Agency provider list, and ranked by the total Proposal evaluation score from highest to lowest. Student placement will be made to the highest ranking provider who is able to provide the services identified in the Student’s IEP. If the first Provider is unable to accommodate the student, DOE will place the student at the school with the next highest ranking until the student is accepted.

DOE reserves the right to place a student with any accepted provider if there are compelling programmatic or educational needs for such a placement.

# **Section 5**

## **Attachments**

<b><u>Attachment</u></b>	<b><u>Document</u></b>
A	Competitive POS Application Checklist
B	POS Proposal Application - Sample Table of Contents
C	Federal Certifications
D	Tuition Rate Proposal Worksheet



## Proposal Application Checklist

Applicant: \_\_\_\_\_

RFP No.: DOE F05-053 / Private Schl

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the state purchasing agency as part of the Proposal Application. \*SPO-H forms are located on the web at <http://www.spo.hawaii.gov> Click *Procurement of Health and Human Services* and *For Private Providers*.\*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
<b>General:</b>				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	<b>X</b>	
Proposal Application Checklist	Section 1, RFP	Attachment A	<b>X</b>	
Table of Contents	Section 5, RFP	Section 5, RFP	<b>X</b>	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	<b>X</b>	
Registration Form (SPO-H-100A)	Section 1, RFP	SPO Website*	<b>(Required if not Registered)</b>	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*	<b>Awardee must provide at time of contract</b>	
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*		
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions is applicable, Section 5		
SPO-H-205B	Section 3, RFP,	SPO Website* Special Instructions, Section 5		
SPO-H-206A	Section 3, RFP	SPO Website*		
SPO-H-206B	Section 3, RFP	SPO Website*		
SPO-H-206C	Section 3, RFP	SPO Website*		
SPO-H-206D	Section 3, RFP	SPO Website*		
SPO-H-206E	Section 3, RFP	SPO Website*		
SPO-H-206F	Section 3, RFP	SPO Website*		
SPO-H-206G	Section 3, RFP	SPO Website*		
SPO-H-206H	Section 3, RFP	SPO Website*		
SPO-H-206I	Section 3, RFP	SPO Website*		
SPO-H-206J	Section 3, RFP	SPO Website*		
<b>Certifications:</b>				
<b>Federal Certifications</b>		Section 5, RFP	<b>X</b>	
Debarment & Suspension		Section 5, RFP	<b>X</b>	
Drug Free Workplace		Section 5, RFP	<b>X</b>	
Lobbying		Section 5, RFP	<b>X</b>	
Program Fraud Civil Remedies Act		Section 5, RFP	<b>X</b>	
Environmental Tobacco Smoke		Section 5, RFP	<b>X</b>	
<b>Program Specific Requirements:</b>				
RATE PROPOSAL FORM	Section 3, RFP	Section 5, Attachment D	<b>X</b>	

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 Authorized Signature

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 Date

## Proposal Application Table of Contents

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	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
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<b>C.</b>	Organization Chart	
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<b>E.</b>	Program Specific Requirements	

- F.**     Organization Chart  
         Program  
         Organization-wide
- G.**     Performance and Output Measurement Tables  
         Table A  
         Table B  
         Table C
- H.**     Program Specific Requirements

## CERTIFICATIONS

### 1. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

The undersigned (authorized official signing for the applicant organization) certifies to the best of his or her knowledge and belief, that the applicant, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the applicant not be able to provide this certification, an explanation as to why should be placed after the assurances page in the application package.

The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions" in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

### 2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The undersigned (authorized official signing for the applicant organization) certifies that the applicant will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a) above;
- (d) Notifying the employee in the statement required by paragraph (a), above, that, as a condition of employment under the grant, the employee will--
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central

point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted--
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

For purposes of paragraph (e) regarding agency notification of criminal drug convictions, the DHHS has designated the following central point for receipt of such notices:

Office of Grants and Acquisition Management  
 Office of Grants Management  
 Office of the Assistant Secretary for Management and Budget  
 Department of Health and Human Services  
 200 Independence Avenue, S.W., Room 517-D  
 Washington, D.C. 20201

### 3. CERTIFICATION REGARDING LOBBYING

Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (non-appropriated) funds. These requirements apply to grants and cooperative agreements EXCEEDING \$100,000 in total costs (45 CFR Part 93).

The undersigned (authorized official signing for the applicant organization) certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the under-

signed, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, "Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### 4. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)

The undersigned (authorized official signing for the applicant organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the applicant organization will comply with the Public Health Service terms and conditions of award if a grant is awarded as a result of this application.

## 5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such Federal funds. The law does not apply to children's services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the applicant organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The applicant organization agrees that it will require that the language of this certification be included in any subawards which contain provisions for children's services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

**Attachment D****TUITION RATE PROPOSAL WORKSHEET**

- ✓ Please provide a detailed breakdown of the cost of attendance per student.
- ✓ If item will not be provided or is not applicable, please indicate so in the “Amount” column.
- ✓ To determine allowable expenses, refer to “Cost Principles on Purchases of Health and Human Services” document available on the SPO website:  
[http://www2.hawaii.gov/spoh/Forms\\_Instructions/forms\\_instructionsprov.htm](http://www2.hawaii.gov/spoh/Forms_Instructions/forms_instructionsprov.htm).

<b>Service/ Expense</b>	<b>Amount</b>
Books/Supplies provided for Student:	
Equipment provided for Student:	
Co-curricular Activities provided for Student:	
Food/Sustenance provided for Student:	
Instructional Personnel costs:	
Related Personnel costs – therapy services , etc. (please itemize):	
Subcontracted Services (please itemize):	
Operating Costs:	
Facilities Costs:	
Profit:	
Other (please specify):	
Total Annual Tuition Rate per Student:	
<b>PROPOSED QUARTERLY TUITION RATE PER STUDENT:</b>	